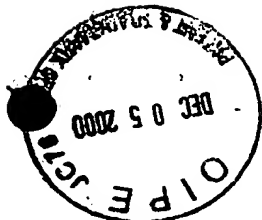


David H. Tanaenbaum  
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2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201



12-0700

CPA/3652  
PATENT APPLICATION

ATTORNEY DOCKET NO. 58569-P001US-10007125

#25  
CPA  
12130

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

"Express Mail" label no. EL341172175US

Date of Deposit 12-5-00

Prior application:

Examiner F.J. Bartuska

Art Unit 3652

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Lisa Lynch

Typed Name: Lisa Lynch

Box CPA

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

**REQUEST FOR A CONTINUED PROSECUTION APPLICATION (CPA) 37 CFR 1.53(d)**

Sir:

This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.53(d), for a

- ( ) continuation
- ( ) divisional

**Prior Application**

Application Serial No. 08/813,852 filed March 3, 1997

Title SYSTEM AND METHOD FOR PROMOTING STORES AND PRODUCTS

Name of applicant(s) Rodney L. Dockery, et al.

- (X) The prior application is hereby abandoned.
- (X) The issue fee in the prior application has not been paid.
- (X) Please use all the contents of the prior application file wrapper, including the drawings and entered amendments, as the basic papers for the new application.

**Foreign Priority - 35 USC 119**

- ( ) Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_.
- ( ) The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
- ( ) A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

**Petitions for Extension of time in Prior Application**

- (X) A petition for extension of time, a copy of which is attached, has been filed in the pending application.

12/08/2000 GTEFFERA 00000047 08813852

01 FC:231  
02 FC:202

355.00 OP  
40.00 OP

(continued)

**Assignment**

- (X) The prior application is assigned to Heritage Publishing, Inc.  
( ) The prior application is assigned to \_\_\_\_\_ and \_\_\_\_\_  
( ) The prior application is assigned to \_\_\_\_\_

**Inventorship Statement**

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 162(a) as a result of a change in the claimed subject matter:
- \_\_\_\_\_

**Declaration and Power of Attorney**

- (X) The Power of Attorney in the prior application is to (Attorney name/reg no.):

David H. Tannenbaum, Reg. No. 24,745; Michael A. Papalas, Reg. No. 40,381; R. Ross Viguet, Reg. No. 42,203; Michael J. Fogarty, III, Reg. No. 42,541; Thomas J. Meaney, Reg. No. 41,990 and Jody C. Bishop, Reg. No. 44,034

\_\_\_\_\_

\_\_\_\_\_

- ( ) The power appears in the original papers in the prior application.  
( ) The power does not appear in the original papers, but was filed on \_\_\_\_\_

(X) Recognize as Associate Attorney or Agent David H. Tannenbaum, Reg. No. 24,745; Michael A. Papalas, Reg. No. 40,381; R. Ross Viguet, Reg. No. 42,203; Michael J. Fogarty, III, Reg. No. 42,541; Jody Bishop, Reg. No. 44,034; Thomas J. Meaney, Reg. No. 41,990; Matthew Jones, Reg. No. 44,810 and William B. Tiffany, Reg. No. 41,347.

- ( ) Authorization is hereby granted by signature below of the Attorney or Agent of record.  
( ) The Associate Attorney or Agent shall not have the authority to appoint other Attorneys or Agents.

**Condition of Prior Elections**

- (X) The Examiner is respectfully reminded that, pursuant to MPEP §201.06(d), only express elections made by an applicant in response to a restriction requirement in the prior application carry over to a CPA. The Examiner is, therefore, required to examine all of the claims of the currently filed CPA, including claims 18-25, which the Examiner ruled were constructively elected in the prior application.

**Communications**

- (X) Address all future communications to:

David H. Tannenbaum, Esq.  
Fulbright & Jaworski L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201  
Tel: (214) 855-8333  
Fax: (214) 855-8200

**Waiver of Secrecy**

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a CPA application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

**Other Amendments**

- ( ) Before calculating the filing fee, amend the prior application as follows:
- ( ) Cancel the following claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
  - ( ) Enter the enclosed Preliminary Amendment.
  - ( ) Enter the Amendment(s) under 37 CFR 1.116 dated \_\_\_\_\_ that was unentered in the Prior Application. A copy of the Amendment(s) is (are) enclosed.

**Fee Calculation**

(X) The filing fee is calculated below for (X) Utility ( ) Design

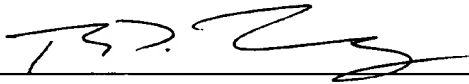
CLAIMS	(1) FOR	(2) NUMBER FILED		(3)NUMBER EXTRA	(4) RATE			(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	15	- 20 =	0	X	\$	18	= 0.00
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	4	- 3 =	1	X	\$	80	= 80.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+		270	=
					Basic Fee			710.00
					Total of above Calculations =			790.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28)							/50%
	<b>* Reissue claims in excess of 20 and over original patent</b> <b>** Reissue independent claims over original patent</b>				TOTAL =			\$395.00

Filing fee due \$ 395.00  
Extension fee due \$ 445.00

Enclosed is a check in the amount of \$840.00.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 06-2380 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 06-2380 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
Thomas J. Meaney  
Registration No. 41,990  
Counsel for Applicant

Date: 12-5-2000

Fulbright & Jaworski L.L.P.  
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